

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

**REPEAT BOUTIQUE, LLC,
BELMONT LODGE #237, AND
JOHN DENSON, INDIVIDUALLY**

PLAINTIFFS

VS.

CIVIL ACTION NO. 1:18CV00047-GHD-DAS

**TOLTECA LAND, LLC¹
AND ROBERT LEE ADAMS, individually**

DEFENDANTS

**ORDER GRANTING JOINT MOTION TO SUBSTITUTE DEFENDANT
AND DISMISSAL WITH PREJUDICE OF INCORRECTLY NAMED DEFENDANT
TOLTECA LAND, LLC dba TOLTECA FOOD SERVICE**

Upon motion of the parties, for an order allowing the substitution of and dismissal with prejudice of the incorrectly named Defendant, Tolteca Land, LLC dba Tolteca Food Services [18] and the Court being advised that the motion before this Court is a joint motion by the parties;

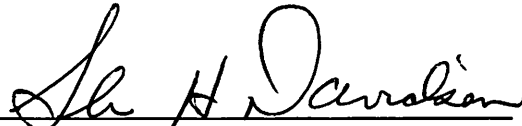
IT IS, THEREFORE, ORDERED AND ADJUDGED the motion is **GRANTED**. The improperly named Defendant Tolteca Land, LLC dba Tolteca Food Service shall and hereby is substituted with the name of Montezuma's Revenge, Inc. as the proper Defendant in this matter.

IT IS FURTHER ORDERED AND ADJUDGED that Tolteca Land, LLC dba Tolteca Food Services motion to dismiss [10] is **GRANTED**. The Court dismisses with prejudice the

¹ Tolteca Land, LLC is incorrectly named in the Complaint as Tolteca Land LLC dba Tolteca Food Service. Furthermore, Tolteca Land LLC has no involvement in this matter and is improperly named and joined. Defendants do not waive and specifically reserve any and all rights and defenses, including though not limited to those available pursuant to F.R.C.P. 12 or otherwise.

incorrectly named Defendant, Tolteca Land, LLC dba Tolteca Food Services.

THIS the 29th day of May, 2018.


DISTRICT JUDGE

Order Prepared By:

/s/ Paul N. Jenkins, Jr.

PAUL N. JENKINS, JR.

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